

236 CMR: BOARD OF CERTIFICATION OF OPERATORS  
OF DRINKING WATER SUPPLY FACILITIES

236 CMR 5.00: DISCIPLINARY ACTION

Section

5.01: Basis for Disciplinary Action

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The Board may suspend, revoke, place on probation or otherwise take other appropriate enforcement actions on or against the certificate of an operator for operator misconduct following a hearing pursuant to M.G.L. c. 30A where a majority of the Board finds that the operator: ~~has~~

1. has- practiced fraud or deception;
2. has falsified or made misleading statements on a license application or operating records;
3. was guilty of gross misconduct;
4. did not used that reasonable care or judgement ~~or the application of his/her knowledge or ability was not used~~ in the performance of his/her duties;
5. that the operator is incompetent or was negligent in the unable properly to perform performance of his/her duties;
6. failed to use his/her knowledge or ability in the performance of his/her duties;
7. failed to comply with applicable federal or state law or regulation: or.

that the operator has otherwise engaged in unprofessional conduct. ~~An appeal of a final decision of the Board suspending or revoking a certificate may be made to the Supreme Judicial Court.~~

REGULATORY AUTHORITY

236 CMR 5.00: M.G.L. c. 13, § 66B; c. 112, §§ 87CCCC and 87DDDD.